

Remarks

Claims 1-26 are pending in the application. Applicant amended claims 1, 13, and 24, and added claim 27. Applicant also amended the specification to correct minor typographical errors. The Office rejected claims 1-4 under 35 U.S.C. § 102(e) as being anticipated by Demoff et al. (U.S. Patent No. 6,456,984). The Office also rejected claims 4-12 under 35 U.S.C. § 103(a) as being unpatentable over Demoff in view of knowledge generally available in the art. The Office indicates that claims 13-23 and 24-26 correspond to method claims 1-12 and were analyzed accordingly.

Amended independent claim 1 specifies a method for allowing a customer at an Internet client device to make Internet based purchases using a temporary credit card number. The method comprises receiving a message indicative of a request to apply for a credit account at an Internet server from the Internet client device via the Internet; transmitting data indicative of an electronic credit account application from the Internet server to the Internet client device via the Internet; receiving the credit account application at the Internet server from the client device via the Internet, the credit account application including applicant data; storing the applicant data in a computer readable memory; verifying the applicant data against a verification database; if the applicant data is verified, opening the credit account and issuing a temporary credit card number associated with the credit account the temporary credit card number being unique among a plurality of currently active temporary credit card numbers stored in a temporary account database; allowing a plurality of Internet based purchases based on the temporary credit card number until the temporary credit card number is deactivated; and deactivating the temporary credit card number.

The Office indicates that the “receiving a message indicative of a request to apply for a credit account at an Internet server from the Internet client device via the Internet”

limitation is disclosed in Demoff as the credit request program at col. 4, lines 29-37. Office action dated January 30, 2003, ¶ 4. Applicant respectfully disagrees.

Demoff does not teach or suggest receiving a message indicative of a request to apply for a credit account at an Internet server from the Internet client device via the Internet. Rather, Demoff discloses an e-commerce credit request program that is managed by a service provider. The service provider maintains a profile of each user. The profile includes basic information of the user and a preexisting credit card account number provided by the user. *See* claims 4 and 19. The user selects items to purchase and at checkout accesses the program by entering a PIN number, purchase amount, and vendor name. *See* Figs. 2-3; col. 4, lines 38-44. For each purchase that is authorized, the e-commerce credit request program issues a credit transaction number and debits the user's preexisting credit card account stored in the user's profile. *See* claims 4 and 19. The system eliminates the need for the user to carry a traditional credit card.

In summary, the e-commerce credit request program is not used to apply for a traditional credit account. In Demoff, the credit transaction number must be linked to some form of payment by the user (otherwise the user would have to enter contact information and billing address at every request to use the e-commerce credit request program). Therefore, without the step of providing a preexisting credit card account number to the service provider, there would be no way to bill the user for his purchases. Furthermore, the service provider does not issue credit to a user, but rather is a central processor that links the credit transaction number to a preexisting credit card account number in the user's profile.

The Office indicates that the "transmitting data indicative of an electronic credit account application from the Internet server to the Internet client device via the Internet" limitation is disclosed in Demoff as the PC screens provided by the programs described at

col. 4, lines 29-37. Office action dated January 30, 2003, ¶ 4. Applicant respectfully disagrees.

Demoff does not teach or suggest transmitting data indicative of an electronic credit account application from the Internet server to the Internet client device via the Internet. Rather, Demoff discloses an e-commerce credit request program that a user initiates to request a credit transaction number for a particular purchase. The user only has the ability to access the e-commerce credit request program to receive a credit transaction number, not a credit account application, because he has a pre-established profile/account maintained by the service provider. The user already “applied” by providing basic information, billing address, and preexisting credit card number to the service provider such that the service provider issued a PIN number to the user to access the e-commerce credit request program. In addition, the PC screens shown in Figs. 2 and 3 identify that the user only has to enter a PIN number, the amount of the purchase, and the vender name. It is highly doubtful that a company ready to open a credit line/account for the user would only request a PIN number, the amount of the purchase, and the vendor name in a credit account application. A credit account application generally requires much more information, especially a billing address, name of applicant, and social security number at a minimum.

The Office indicates that the “if the applicant data is verified, opening the credit account and issuing a temporary credit card number associated with the credit account the temporary credit card number being unique among a plurality of currently active temporary credit card numbers stored in a temporary account database” limitation is disclosed in Demoff at col. 3, lines 42-48. Office action dated January 30, 2003, ¶ 4. Applicant respectfully disagrees.

Demoff does not teach or suggest if the applicant data is verified, opening the credit account and issuing a temporary credit card number associated with the credit account the

temporary credit card number being unique among a plurality of currently active temporary credit card numbers stored in a temporary account database. Rather, Demoff discloses a system that issues a credit transaction number concurrent with a transaction as payment for goods or services. As discussed above, the system in Demoff does not open a credit account. The service provider links the credit transaction number to the user's preexisting credit card account number stored in the user's profile.

The Office indicates that the "allowing a plurality of Internet based purchases based on the temporary credit card number until the temporary credit card number is deactivated" limitation is disclosed in Demoff at col. 4, lines 42-52. Office action dated January 30, 2003, ¶ 4. Applicant respectfully disagrees.

Demoff does not teach or suggest allowing a plurality of Internet based purchases based on the temporary credit card number until the temporary credit card number is deactivated. Rather, Demoff discloses a system that issues a credit transaction number concurrent with a transaction as payment for goods or services. The credit transaction number is valid only for the requested transaction and transaction amount. Col. 3, lines 35-50. In other words, for each transaction, a new number is given which is authorized only for a specific date and time, for a specific amount, and from a unique personal ID. *Id.*

For at least these reasons, Demoff does not teach or suggest the subject matter defined by independent claim 1. Therefore, independent claim 1 and dependent claims 2-12 are allowable.

Claims 2-12 depend from independent claim 1, and are allowable for at least the same reasons claim 1 is allowable as well as other reasons, some of which are discussed below.

Claim 3 further specifies that the step of deactivating the temporary credit card number in response to a predetermined time period elapsing comprises the step of expiring the temporary credit card number in response to a predetermined time period of customer

inactivity at a website elapsing. The Office indicates that this subject matter is disclosed in Demoff at col. 4, lines 44-52. Office action dated January 30, 2003, ¶ 4. Applicant respectfully disagrees.

Demoff does not teach or suggest the subject matter of claim 3. Rather, Demoff discloses a system that issues a credit transaction number concurrent with a transaction as payment for goods or services. The credit transaction number is valid only for the requested transaction and transaction amount. Col. 3, lines 35-50. A faux expiration date is also displayed with the credit transaction number, but the credit transaction number is authorized for and only valid for the particular transaction or, in other words, the length of time it takes to complete the transaction. Col. 4, lines 44-51. Demoff does not disclose that the expiration of the credit transaction number is related to web site activity. Therefore, Demoff does not teach or suggest the subject matter of claim 3. Accordingly, dependent claim 3 contains additional patentable subject matter.

Claims 4-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Demoff in view of knowledge generally available in the art. To establish a *prima facie* case of obviousness under Section 103, three basic criteria must be met. *M.P.E.P.* § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. *See M.P.E.P.* § 2143.1. Moreover, it is improper to combine references where the references teach away from their combination. *See M.P.E.P.* § 2145. The Office's

proposed combination of Demoff and knowledge generally available does **not** meet the above criteria with respect to the subject matter of the claims.

The Office indicates that claims 4-11 recite a plurality of steps of deactivating a credit card number in response to certain events. Office action dated January 30, 2003, ¶ 8. The Office acknowledges that Demoff is silent about the recited methods of deactivating the temporary credit card number. *Id.* However, the Office asserts that “such knowledge is within the scope of knowledge generally available to one of ordinary skill in the art who would implement a variety of steps to ensure that the temporary credit card remains indeed temporary and is deactivated under all conceivable scenarios because the ensuing method would minimize the potential for theft or fraudulent use of the credit card number which is already issued.” *Id.* Applicant respectfully disagrees.

There is no suggestion or motivation to include additional measures for deactivating the credit transaction number in Demoff. Demoff is silent about the recited methods of deactivating the temporary credit transaction number because the credit transaction number automatically expires after the transaction is complete. There is no need to provide additional measures for deactivating the temporary credit transaction number. The purpose of issuing the one-time use credit transaction number is to minimize the potential for theft or fraudulent use of the credit. Col. 1, lines 58-61. By including additional measures for deactivating the temporary credit transaction number, Demoff teaches away from the purpose of issuing the one-time use credit transaction number. If the measures specified in claims 4-11 were included in the Demoff system, theoretically, the same credit transaction number could be accessed multiple times and pose a higher risk for theft or fraudulent use. In summary, including additional measures to deactivate the credit transaction number is contrary to the purpose of the Demoff system.

For at least these reasons, Demoff combined with knowledge generally available does not teach or suggest the subject matter defined by claims 4-11. Therefore, claims 4-11 are allowable.

The Office includes dependent claim 11 as a claim that recites a “method of deactivating the temporary credit card number.” In addition, the Office takes official notice of the subject matter of claim 12, but discusses the subject matter in claim 11. Applicant believes that the Office meant to take official notice of the subject matter in claim 11. That means the Office has not provided any correlation between Demoff and the subject matter of claim 12. The Applicant has carefully reviewed Demoff and it does not disclose the subject matter recited in claim 12. Accordingly, Applicant respectfully requests that the Office withdraw the rejection of claim 12.

Amended independent claim 13 specifies an apparatus for allowing a customer at an Internet client device to make Internet based purchases using a temporary credit card number. The apparatus comprises a network receiver operatively coupled to the Internet; a network transmitter operatively coupled to the Internet; a microprocessor in communication with the network receiver and the network transmitter; and a memory device in communication with the microprocessor, the memory device storing a software program capable of being executed by the microprocessor, the software program being structured to cause the microprocessor to: receive a message indicative of a request to apply for a credit account from the network receiver; transmit data indicative of an electronic credit account application to the network transmitter; receive the application from the network receiver, the application including applicant data; verify the applicant data against a verification database; if the applicant data is verified, open the credit account and issue a temporary credit card number that is unique among a plurality of currently active temporary credit card numbers; allow a plurality of Internet based purchases based on the temporary credit card number until the temporary

credit card number is deactivated; and deactivating the temporary credit card number.

Demoff does not teach or suggest the claimed limitations of claim 13. Therefore, claim 13 is allowable for at least the reasons stated above with respect to claim 1.

Claims 14-23 depend from independent claim 13, and are allowable for at least the same reasons claim 14 is allowable, and upon other features and elements claimed in claims 14-23 but not discussed herein.

Amended claim 24 specifies an apparatus for allowing a customer at an Internet client device to make Internet based purchases using a temporary credit card number. The apparatus comprises a network receiver operatively coupled to the Internet, the network receiver being structured to receive applicant data and purchase requests; a verification module operatively coupled to the network receiver; a verification database in communication with the verification module, the verification module being structured to query the verification database to determine if the applicant data received by the receiver is valid; a temporary account module in communication with the verification module; a temporary account database in communication with the temporary account module, the temporary account module being structured to query the temporary account database to issue a temporary credit card number if the applicant data is verified, the temporary credit card number being unique among a plurality of currently active temporary credit card numbers; and a purchase approval module in communication with the network receiver and the temporary account module, the purchase approval module being structured to approve the purchase requests received by the receiver if the purchase requests are associated with the temporary credit card number and the temporary credit card number is active. Demoff does not teach or suggest the claimed limitations of claim 24. Therefore, claim 24 is allowable for at least the reasons stated above with respect to claim 1.

Claims 25-26 depend from independent claim 24, and are allowable for at least the same reasons claim 24 is allowable, and upon other features and elements claimed in claims 25-26 but not discussed herein.

New claim 27 specifies a method of making an on-line purchase. The method comprises a method of making an on-line purchase, the method comprising accessing a computer to select an item for purchase; proceeding to a payment screen that requests payment data, the screen displaying information to open a credit account; accessing the information to open the credit account; completing an on-line credit account application; verifying the application; opening the credit account; issuing an identification number associated with the credit account; entering the identification number for payment. As discussed above, Demoff does not teach or suggest proceeding to a payment screen that requests payment data, the screen displaying information to open a credit account; accessing the information to open the credit account; completing an on-line credit account application; and opening the credit account. Therefore, new claim 27 is allowable.

CONCLUSION

In view of the foregoing, entry of the amendment and allowance of claims 1-27 are respectfully requested. The undersigned is available for a telephone consultation at any time.

Respectfully submitted,



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